

EXHIBIT 49



U.S. Department of Justice

Federal Bureau of Prisons

Federal Medical Center, Devens

P.O. Box 880
Ayer, MA 01432

June 16, 2003

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DLR
6/17/3*

MEMORANDUM FOR WARDEN DAVID L. WINN

R. S. Meeks
FROM: R. S. Meeks, AW Programs
Chairperson, Workplace Violence Committee

SUBJECT: Workplace Violence Committee Meeting
June 16, 2003, Colleen O'Donnell

In accordance with PS 3730.04, Workplace Violence Prevention, Staff, a committee was convened this afternoon, at your direction, to respond to a potential workplace violence issue pertaining to an incident which occurred at the Mailroom at some time over the weekend of June 13th-16th. The committee consisted of myself, Cindy Lord, HRM; Steve Gagnon, ISM; Mike Bollinger, Captain; Dr. Susan Bates, DAPC; and Patrick Ward, Attorney Advisor.

The committee reviewed the facts known at this time pertaining to an incident discovered this morning at 1:45am involving graffiti painted onto the outside of the Institution Mailroom located outside of the main institution. In completing the Threat Assessment we utilized the Threat Assessment Guidelines found at Attachment A, of PS 3730.04. In doing so we determined the following:

1) Reported Incident

- Severity- There was no actual physical harm, no potential danger or harm was exposed to staff, however Ms. O'Donnell did feel threatened or in danger
- Motivation- The trigger for this incident and existence of their reoccurrence is unknown at this time
- Aftermath- The original situation has been resolved and this is agreed by all parties. Because the alleged perpetrator is unknown, we do not know of the continued existence of any behavior. Ms. O'Donnell most likely continues to feel threatened

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Categories:

- 2) Violence History - N/A
- 3) Individual Factors - N/A
- 4) Environmental Factors - N/A
- 5) Work Performance/Conduct - N/A

Categories 2-5 pertain to the alleged perpetrator of the behavior, which is unknown at this time and we therefore could not begin to assess these issues.

Conclusion of Committee:

The committee concluded that although a written threat clearly is real, this matter does not constitute workplace violence under the definitions established in the Program Statement. The committee does not feel that we have the ability to remove the threat at this time, with the limited knowledge we have pertaining to the background of the incident or the identity of the perpetrator. Because the threat exists at the location of the crime, we agree with the removal of Ms. O'Donnell from the Mailroom. We conclude that she can continue to work, however due to her fear from this incident and our inability to determine if the threat still exists, we recommend she not remain at the Mailroom and that a transfer to a different work site outside the facility and outside the Mailroom would be beneficial.

The committee based it's decisions and recommendation upon the information available to them at 1:00pm today. We recommend reconvening if a perpetrator is identified and it is a member of our staff. If there are any further issues you would like us to consider, we would be happy to reconvene at your directions to do so.